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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of:)
Huang et al.)
Serial Number: 10/667,124)
Filed: September 18, 2003)
Title: **Test Piece Splitting Device**)
Attorney Docket No. 250122-1020

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Petitions; Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on April 29, 2004.


Signature – Hui Chin Barnhill

**REQUEST FOR RECONSIDERATION OF DISMISSAL OF
PETITION TO FILE APPLICATION ON BEHALF OF INVENTOR
WHO REFUSES TO SIGN**

Mail Stop – Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This paper is being submitted in response to the petition dismissal, which was mailed on March 16, 2004. The deadline for filing this paper is May 16, 2004, and therefore this paper is timely filed.

The dismissal stated that the petition complied with all requirements, except that the declaration was improper as having been signed by all inventor (except the non-signing inventor), with one of the participating co-inventors signing on behalf of the inventor who

refused to sign. The dismissal, however, stated that if an identical declaration was resubmitted, signed by all co-inventors and leaving blank the signature block for the inventor who refuses to sign, that the petition would be granted and the application passed on for examination.

Accordingly, all participating inventors have resigned the enclosed declaration, leaving blank the space for the non-signing inventor's signature.

In view of the enclosure and the statements made in the dismissal, Applicants respectfully request that the dismissal be reconsidered and the petition to file on behalf of a non-signing inventor (who refuses to sign) be hereby granted.

No fee is believed to be due in connection with this submission. If, however, any fee is deemed payable, you are hereby authorized to charge any such additional fee to Deposit Account No. 20-0778.

Respectfully submitted,



Daniel R. McClure
Daniel R. McClure
Registration No. 38,962

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.
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COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor(s), I/we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.
I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled TEST PIECE SPLITTING DEVICE, the specification of which:

is attached hereto.
 was filed on September 18, 2003 as Application Serial No. 10/667,124.
 was filed on _____ under U.S. Express Mail No. _____.
 is set forth in PCT International Application No. _____; filed on _____ and as amended Under PCT Article 19 on _____ (if any).

I/we hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I/we hereby claim foreign priority benefits under Title 35, United States Code, 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed: Taiwan Application No. 91121995, Filed September 25, 2002

I/we hereby appoint all attorneys and agents of Thomas, Kayden, Horstemeyer & Risley, LLP, who are listed under the USPTO Customer Number shown below as my/our attorneys and agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys and agents listed under that Customer Number may be changed from time to time at the sole discretion of Thomas, Kayden, Horstemeyer & Risley, LLP, and request that all correspondence be addressed to the address filed under the same USTPO Customer Number.

24504

Please address all telephone calls, in the first instance, to Daniel R. McClure
at telephone number: (770) 933-9500.

Address all correspondence to:

Daniel R. McClure
THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.
100 Galleria Parkway, N.W., Suite 1750
Atlanta, Georgia 30339-5948

I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor: Chiao-Chung HUANG
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Inventor's Signature: Chiao - Chung HUANG Date: April 19, 2004

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Inventor's Signature: Kuo - Kang YEH Date: April 19, 2004

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Signature: _____ Date: _____

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Citizenship: Taiwan
Post Office Address: N/A

Inventor's Signature: Po - Tsun CHEN Date: April 19, 2004

Full Name of Fourth Inventor: Kuo-Ming HUANG
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Inventor's Signature: Kuo - Ming HUANG Date: April 19, 2004